
By: **Senators Brinkley and Mooney**
Introduced and read first time: February 5, 2004
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Alcoholic Beverages Licenses - Bed and Breakfast and**
3 **Country Inn Establishments**

4 FOR the purpose of establishing in Frederick County separate alcoholic beverages
5 licenses for bed and breakfast and country inn establishments; establishing
6 certain license requirements and restrictions on the use of the licenses;
7 specifying certain license fees; requiring that the licenses be voided and
8 returned to the Board of License Commissioners under certain circumstances;
9 authorizing the Board to adopt certain regulations; and generally relating to
10 alcoholic beverages licenses in Frederick County.

11 BY repealing and reenacting, without amendments,
12 Article 2B - Alcoholic Beverages
13 Section 6-201(1)(1)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article 2B - Alcoholic Beverages
18 Section 6-201(1)(3)(i)
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 Supplement)

21 BY adding to
22 Article 2B - Alcoholic Beverages
23 Section 6-201(1)(6) and (7)
24 Annotated Code of Maryland
25 (2001 Replacement Volume and 2003 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 2B - Alcoholic Beverages**

2 6-201.

3 (l) (1) This subsection applies only in Frederick County.

4 (3) (i) Any bona fide hotel or motel may obtain a special Class B
5 (on-sale) beer, wine and liquor license issued by the Board of License Commissioners
6 providing:7 1. It is an establishment for the accommodation of the public
8 providing services ordinarily found in bona fide hotels and motels;9 2. It contains no less than 15 rooms [or, if a bed and
10 breakfast-type facility, 8 rooms];11 3. It contains a dining room with facilities for preparing and
12 serving full-course meals for at least 50 persons at one seating; and13 4. The capital investment in the hotel or motel facility is not
14 less than \$400,000.15 (6) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS
16 B-BB (BED AND BREAKFAST) ON-SALE BEER, WINE AND LIQUOR LICENSE FOR THE
17 USE OF AN ESTABLISHMENT THAT:18 1. PROVIDES SERVICES ORDINARILY FOUND IN A BED AND
19 BREAKFAST ESTABLISHMENT; AND20 2. CONTAINS AT LEAST ONE ROOM WITH SLEEPING
21 ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT QUARTERS, THAT THE
22 PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED TIME.23 (II) THE HOLDER OF A CLASS B-BB LICENSE MAY SELL ALCOHOLIC
24 BEVERAGES ONLY:25 1. FOR CONSUMPTION ON THE PREMISES DURING THE
26 HOURS AND DAYS THAT ARE PERMITTED FOR A CLASS B ON-SALE BEER, WINE AND
27 LIQUOR LICENSE ISSUED IN THE COUNTY; AND28 2. TO A GUEST WHOSE NAME AND ADDRESS APPEARS ON
29 THE REGISTRY THAT IS MAINTAINED BY THE ESTABLISHMENT AND WHO IS AN
30 OCCUPANT OF A SLEEPING ROOM IN THE ESTABLISHMENT.31 (III) THE HOLDER OF A CLASS B-BB LICENSE MAY NOT SELL
32 ALCOHOLIC BEVERAGES TO A PERSON WHO IS REGISTERED AT THE ESTABLISHMENT
33 ONLY TO OBTAIN ALCOHOLIC BEVERAGES.

34 (IV) THE ANNUAL LICENSE FEE IS \$500.

1 (V) IF AN ESTABLISHMENT ENDS OPERATIONS AS A BED AND
2 BREAKFAST ESTABLISHMENT:

3 1. THE B-BB LICENSE IS VOIDED; AND

4 2. THE HOLDER SHALL RETURN THE B-BB LICENSE TO THE
5 BOARD OF LICENSE COMMISSIONERS.

6 (VI) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT
7 REGULATIONS TO CARRY OUT THIS PARAGRAPH.

8 (7) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS
9 B-CI (COUNTRY INN) ON-SALE BEER, WINE AND LIQUOR LICENSE FOR THE USE OF
10 AN ESTABLISHMENT THAT:

11 1. PROVIDES SERVICES ORDINARILY FOUND IN A COUNTRY
12 INN ESTABLISHMENT;

13 2. CONTAINS AT LEAST EIGHT ROOMS WITH SLEEPING
14 ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT QUARTERS, THAT THE
15 PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED TIME; AND

16 3. HAS A KITCHEN FACILITY FOR GUESTS THAT IS SEPARATE
17 FROM THE KITCHEN FACILITY OF THE RESIDENT MANAGEMENT QUARTERS.

18 (II) THE HOLDER OF A CLASS B-CI LICENSE MAY SELL ALCOHOLIC
19 BEVERAGES ONLY:

20 1. FOR CONSUMPTION ON THE PREMISES DURING THE
21 HOURS AND DAYS THAT ARE PERMITTED FOR A CLASS B ON-SALE BEER, WINE AND
22 LIQUOR LICENSE ISSUED IN THE COUNTY; AND

23 2. WHEN ACCOMMODATING THE PUBLIC FOR BANQUETS,
24 PARTIES, MEETINGS, AND SIMILAR FUNCTIONS.

25 (III) THE ANNUAL LICENSE FEE IS \$2,500.

26 (IV) IF AN ESTABLISHMENT ENDS OPERATIONS AS A COUNTRY INN
27 FACILITY:

28 1. THE B-CI LICENSE IS VOIDED; AND

29 2. THE HOLDER SHALL RETURN THE B-CI LICENSE TO THE
30 BOARD OF LICENSE COMMISSIONERS.

31 (V) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT
32 REGULATIONS TO CARRY OUT THIS PARAGRAPH.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 June 1, 2004.